

Message Text

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C O N F I D E N T I A L SECTION 01 OF 02 GENEVA 01540

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SUBJECT: 34TH SESSION HUMAN RIGHTS COMMISSION:
UK STATEMENT AND BACKGROUND NOTE ON DEMOCRATIC KAMPUCHEA

REF: GENEVA 01049

FOLLOWING IS THE TEXT OF THE STATEMENT AND BACKGROUND NOTE
WHICH THE UK PLANS TO DISTRIBUTE IN CONJUNCTION WITH
ITS INITIATIVE ON KAMPUCHEA:

1. THE UNITED KINGDOM ARE SEEKING AN INTERNATIONAL DEBATE
ON THE ALARMING REPORTS OF WHAT HAS HAPPENED IN DEMOCRATIC
KAMPUCHEA, WITH A VIEW IF POSSIBLE TO SECURING AN
INTERNATIONAL INVESTIGATION. WE DO NOT CONSIDER THAT
WHAT WOULD APPEAR TO BE ONE OF THE MOST APPALLING EXAMPLES
OF LARGE-SCALE ATROCITIES IN RECENT HISTORY SHOULD BE
ALLOWED TO PASS WITHOUT DEBATE. THE COMMISSION ON HUMAN
RIGHTS IS THE APPROPRIATE UN BODY TO CONSIDER SUCH A
CASE. THE DECISION OF THE UK TO APPROACH IT, IS BASED
PARTLY ON THE CONVICTION THAT THE COMMISSION SHOULD RISE
TO CHALLENGES LIKE THE ONE DEMOCRATIC KAMPUCHEA PRESENTS.

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2. A BACKGROUND NOTE ON THE HUMAN RIGHTS SITUATION IN
DEMOCRATIC KAMPUCHEA IS ATTACHED. THE UK INTENDS TO
CIRCULATE A RESOLUTION AT THE COMMISSION RECOMMENDING THAT
THE COMMISSION SHOULD MAKE A THOROUGH INVESTIGATION OF
THE HUMAN RIGHTS SITUATION IN DEMOCRATIC KAMPUCHEA SINCE
APRIL 1975, AND SHOULD SEEK THE CO-OPERATION OF THE
GOVERNMENT OF DEMOCRATIC KAMPUCHEA AND SUCH OTHER

GOVERNMENTS OR INDIVIDUALS WHO MAY HAVE OBJECTIVE AND RELIABLY ATTESTED INFORMATION TO OFFER. THE UK WOULD WELCOME SUPPORT FOR THIS RESOLUTION.

3. JOURNALS OF EVERY SHADE OF OPINION HAVE CARRIED REPORTS OF SYSTEMATIC BRUTALITY IN DEMOCRATIC KAMPUCHEA INFLICTED ON THE POPULATION AT THE WHIM OF THE AUTHORITIES. FORMER MEMBERS OF THE KHMER ROUGE HAVE STATED THAT THE COMMUNIST PARTY OF KAMPUCHEA HAS FOLLOWED A DELIBERATE POLICY OF SEEKING OUT AND SUMMARILY EXECUTING, OFTEN IN BRUTAL FASHION, VERY LARGE NUMBERS OF ORDINARY CAMBODIANS INCLUDING FORMER POLICEMEN, SOLDIERS, GOVERNMENT OFFICIALS, TEACHERS, PROSTITUTES, STUDENTS AND MONKS. IN MANY CASES IT HAS BEEN REPORTED THAT MEMBERS OF THEIR FAMILIES WERE ALSO KILLED.

4. THERE HAVE BEEN SEVERAL EYE-WITNESSES TO EXECUTIONS. FRANCOIS PONCHAUD IN HIS BOOK "CAMBODGE ANNEE ZERO" (PP 71-3) FOR EXAMPLE DESCRIBES THE EXECUTION AT PHNOM TIPPADAY OF A LARGE NUMBER OF FORMER ARMY OFFICERS. TWO SURVIVORS WHO ESCAPED FROM DEMOCRATIC KAMPUCHEA WERE INTERVIEWED IN THAILAND. THEIR STORIES ARE SUPPORTED BY OTHER EYE-WITNESSES WHO SAW LARGE NUMBERS OF BODIES IN THE AREA OF PHNOM TIPPADAY. THERE ARE SEVERAL OTHER REPORTS OF MANY CORPSES HAVING BEEN SEEN IN DIFFERENT PARTS OF DEMOCRATIC KAMPUCHEA (EG THE GUARDIAN 9 FEBRUARY 1976). A FORMER MEMBER OF THE KHMER ROUGE HAS SPOKEN OF TAKING PART IN EXECUTIONS (THE TIMES, 23 APRIL 1976). IN NONE OF THE REFUGEES' REPORTS HAS THERE BEEN MENTION OF THE VICTIMS BEING ALLOWED LEGAL DEFENCE OR BEING AFFORDED ANY FORMAL TRIAL.

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1976). A FORMER MEMBER OF THE KHMER ROUGE HAS SPOKEN OF TAKING PART IN EXECUTIONS (THE TIMES, 23 APRIL 1976). IN NONE OF THE REFUGEES' REPORTS HAS THERE BEEN MENTION OF THE VICTIMS BEING ALLOWED LEGAL DEFENCE OR BEING AFFORDED ANY FORMAL TRIAL.

5. THE ENFORCED EVACUATION OF PHNOM PENH, REMINISCENT OF SOME OF THE WORST SCENES DURING THE SECOND WORLD WAR, WAS WITNESSED BY MANY FOREIGNERS. THE KHMER ROUGE APPEAR TO HAVE BEGUN THE EVACUATION IMMEDIATELY AFTER SEIZING POWER IN APRIL 1975, AND TO HAVE CONDUCTED THE OPERATION INHUMANELY, EXPELLING THE WHOLE POPULATION WITH NO EXCEPTIONS MADE FOR THE OLD, THE SICK, THE VERY YOUNG OR PREGNANT WOMEN. HOSPITALS IN PHNOM ENH WERE EMPTIED OF THEIR PATIENTS, SOME OF WHOM WERE SEEN BEING PUSHED ALONG IN THEIR BEDS (PONCHAUD P 19). THERE HAVE BEEN REPORTS OF SIMILAR ACTIVITIES IN OTHER POPULATION CENTRES. IN SUCH CIRCUMSTANCES MANY PEOPLE INEVITABLY DIED THROUGH EXPOSURE AND THE ABSENCE OF ADEQUATE MEDICAL ATTENTION.

6. AFTER THESE EARLY EXCESSES THERE MAY HAVE BEEN A RELATIVE RELAXATION IN THE SUMMER OF 1975, ALTHOUGH

BARRON AND PAUL IN THEIR BOOK "MURDER OF A GENTLE LAND" (PP 188-9) STATE THAT IN OCTOBER 1975 A KHMER ROUGE MESSAGE TO A LOCAL COMMANDER WAS INTERCEPTED INSTRUCTING HIM TO PREPARE FOR EXTERMINATION AFTER THE HARVEST OF ALL FORMER GOVERNMENT SOLDIERS AND CIVIL SERVANTS REGARDLESS OF RANK, AND OF THEIR FAMILIES. REPORTS FROM REFUGEES IN LATE 1975 AND IN 1976 OFTEN SPOKE OF THE SYSTEMATIC POLICY OF REPRESSING EDUCATED CAMBODIANS, INCLUDING TEACHERS, CIVIL SERVANTS AND STUDENTS AND OF THEIR SUMMARY EXECUTION FOR ANY ACT DISPLEASING TO THE KHMER ROUGE (EG DAILY TELEGRAPH, 8 APRIL 1976, THE TIMES,

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14 SEPTEMBER 1976, AND LE MONDE, 18 SEPTEMBER 1976). SUCH REPORTS CONTINUED TO BE RECEIVED AS LATE AS NOVEMBER 1977, WHEN FOR EXAMPLE A FORMER KHMER ROUGE OFFICIAL WAS QUOTED AS STATING THAT THERE HAD BEEN WIDESPREAD KILLINGS EVEN OF FACTIONS WITHIN THE KHMER ROUGE (LOS ANGELES TIME, 16 NOVEMBER 1977).

7. REPORTS OF THE EXECUTIONS HAVE RECEIVED SUPPORT FROM STATEMENTS BY KHMER ROUGE LEADERS. ALTHOUGH THE DEPUTY PRIME MINISTER FOR FOREIGN AFFAIRS, LENG SARY, HAS CLAIMED THAT "ONLY THE WORST CRIMINALS WERE SENTENCED TO DEATH" HE WAS REPORTED BY DER SPIEGEL ON 6 MAY 1977 TO HAVE SAID WITH REFERENCE TO THE OCCUPATION OF PHNOM PEHN, THAT "TWO OR THREE THOUSAND DIED DURING THE EVACUATION OF THE CITY AND A FEW THOUSAND HAVE DIED IN THE RICE FIELDS." KHIEU SAMPHN, THE CHAIRMAN OF THE STATE PRESIDUM WAS REPORTED BY FAMIGLIA CHRISTIANA ON 26 SEPTEMBER 1976 TO HAVE REPLIED TO A QUESTION ABOUT WHAT HAD HAPPENED TO A MILLION

CAMBODIANS UNACCOUNTED FOR IN FIGURES HE HAD QUOTED, "IT IS INCREDIBLE HOW YOU WESTERNERS CARE ABOUT WHAT HAPPENS TO WAR CRIMINALS". THE CAMBODIAN GOVERNMENT MADE NO ATTEMPT TO DISCLAIM RESPONSIBILITY FOR THE MASSACRE OF 28 VILLAGERS IN ARANYAPATHET IN THAILAND IN JANUARY 1977, CONFIDENTIAL

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BUT ALLEGED SIMPLY THAT THE AREA IN QUESTION WAS CAMBODIAN TERRITORY AND THAT THE CAMBODIAN GOVERNMENT HAD BEEN "ARRANGING ITS INTERNAL AFFAIRS". MORE RECENTLY IN THE WAKE OF THE LATEST OUTBREAK OF HOSTILITIES IN THE BORDER REGION BETWEEN VIETNAM AND DEMOCRATIC KAMPUCHEA AN OFFICIAL STATEMENT ISSUED BY THE VIETNAMESE GOVERNMENT ON 31 DECEMBER 1977 HAS ACCUSED THE CAMBODIANS OF PERPETRATING "UTTERLY INHUMAN CRIMES, RAPING, TEARING FETUSES FROM MOTHERS' WOMBS, DISEMBOWELLING ADULTS AND BURNING CHILDREN ALIVE".

8. REFUGEES HAVE DESCRIBED A SYSTEM OF FORCED LABOUR, WITH SEVERE PUNISHMENTS FOR MINOR MISDEMEANORS (EG LE MONDE 7, 8 SEPTEMBER 1977), DELIBERATE SPLITTING UP OF FAMILIES (EG THE TIMES, 1 NOVEMBER 1977) AND THE NEAR TOTAL SUPPRESSION OF PERSONAL LIBERTY AND RELIGIOUS FREEDOM. THE FACT THAT THOUSANDS OF MEN, WOMEN AND CHILDREN SHOULD HAVE FLED FROM DEMOCRATIC KAMPUCHEA AND THAT PEOPLE WITH DIFFERING SOCIAL BACKGROUND SHOULD CONTINUE TO TRY AND DO SO DESPITE THE DANGER INVOLVED IS COMPELLING EVIDENCE OF THE APPALLING SITUATION THAT OBTAINS IN DEMOCRATIC KAMPUCHEA.

9. AS A MEMBER OF THE UNITED NATIONS, DEMOCRATIC KAMPUCHEA HAS A MORAL OBLIGATION TO OBSERVE THE STANDARDS OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS. THE ACTIONS OF THE CAMBODIAN REGIME HAVE EVIDENTLY VIOLATED THE MOST FUNDAMENTAL PROVISIONS OF THIS DECLARATION, INCLUDING ARTICLE 3, WHICH STATES THAT "EVERYONE HAS THE RIGHT OF LIFE, LIBERTY AND SECURITY OF PERSON" AND ARTICLES 6-11 WHICH GUARANTEE AN INDIVIDUAL THE PROTECTION OF THE LAW. EVEN OBSERVERS WHO DOUBTED THE INITIAL REPORTS OF ATROCITIES HAVE CHANGED THEIR MINDS (MARTIN WOOLACOTT'S CONFIDENTIAL

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ARTICLE IN THE GUARDIAN 6 SEPTEMBER 1977).

10. THE MANY INDICATIONS OF A MAJOR TRAGEDY HAVING OCCURRED IN DEMOCRATIC KAMPUCHEA SINCE APRIL 1975 ARE A MATTER OF CONCERN TO THE INTERNATIONAL COMMUNITY AND

WARRANT FURTHER INVESTIGATION. SORENSON

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